

1 **URBAN RENEWAL PROJECT AREA AMENDMENTS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Curtis S. Bramble**

5 House Sponsor: Val L. Peterson

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to certain urban renewal project areas.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ allows a community reinvestment agency to extend urban renewal project area
13 funds for a project area that includes an inactive industrial site without obtaining the
14 taxing entity's approval.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **17C-2-207**, as last amended by Laws of Utah 2016, Chapter 350

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **17C-2-207** is amended to read:

25 **17C-2-207. Extending collection of tax increment in an urban renewal project**
26 **area budget.**

27 (1) An extension approved by a taxing entity or taxing entity committee before May
28 10, 2011, is not subject to this section.

29 (2) (a) An agency's collection of tax increment under an urban renewal project area

30 budget may be extended by:

31 (i) following the project area budget amendment procedures outlined in Section
32 [17C-2-206](#); or

33 (ii) following the procedures outlined in this section.

34 (b) The base taxable value for an urban renewal project area budget may not be altered
35 as a result of an extension under this section unless otherwise expressly provided for in an
36 interlocal agreement adopted in accordance with Subsection (3)(a).

37 (3) ~~[(F)]~~ Except as provided in Subsection (4), to extend under this section the project
38 area funds collection period under a previously approved project area budget, the agency shall:

39 (a) obtain the approval of the taxing entity through an interlocal agreement;

40 (b) (i) hold a public hearing on the proposed extension in accordance with Subsection
41 [17C-2-201](#)(2)(d) in the same manner as required for a proposed project area budget; and

42 (ii) provide notice of the hearing:

43 (A) as required by Chapter 1, Part 8, Hearing and Notice Requirements; and

44 (B) including the proposed project area budget's extension period; and

45 (c) after obtaining the taxing entity's approval in accordance with Subsection (3)(a), at
46 or after the public hearing, adopt a resolution approving the extension.

47 (4) (a) Subject to Subsection (4)(b), to extend under this section the project area funds
48 collection period under a previously approved project area budget for a project area that
49 includes an inactive industrial site, the agency shall:

50 (i) hold a public hearing on the proposed extension in accordance with Subsection
51 [17C-2-201](#)(2)(d) in the same manner as required for a proposed project area budget;

52 (ii) provide notice of the hearing as required by Chapter 1, Part 8, Hearing and Notice
53 Requirements, including notice of the proposed project area budget's extension period; and

54 (iii) at or after the public hearing, adopt a resolution approving the extension.

55 (b) An extension under Subsection (4)(a) may not extend the length of time that tax
56 increment is collected from any single tax parcel.

57 ~~[(4)]~~ (5) After the project area funds collection period expires, an agency may continue

58 to receive project area funds from those taxing entities that agree to an extension through an
59 interlocal agreement in accordance with Subsection (3)(a) or through the process described in
60 Subsection (4).

61 [~~5~~] (6) (a) A person may contest the agency's adoption of an extension within 30 days
62 after the day on which the agency adopts the resolution providing for the extension.

63 (b) A person [~~who~~] that fails to contest an extension under Subsection [~~5~~] (6)(a):

64 (i) shall forfeit any claim against the agency's adoption of the extension; and

65 (ii) may not contest:

66 (A) a distribution of tax increment to the agency under the budget, as extended; or

67 (B) an agency's use of tax increment under the budget, as extended.